

EXHIBIT C

HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

HP TUNERS, LLC, a Nevada limited liability company,)	CASE NO. 3:17-cv-05760-BHS
)	
Plaintiff,)	[PROPOSED] ORDER GRANTING
)	MOTION TO COMPEL, FOR
vs.)	SANCTIONS AND TO MODIFY
)	SCHEDULING ORDER
KEVIN SYKES-BONNETT and SYKED)	
ECU TUNING INCORPORATED, a)	
Washington corporation, and JOHN)	
MARTINSON,)	
)	
Defendants.)	

THIS MATTER coming to be heard on Plaintiffs HP TUNERS, LLC's Motion to Compel, for Sanctions and to Modify Scheduling Order against Defendants KEVIN SYKES-BONNETT, SYKED ECU TUNING INCORPORATED and JOHN MARTINSON (collectively "Defendants"), due notice having been given and the Court being fully advised in the premises, IT IS HEREBY ORDERED AS FOLLOWS:

1. Plaintiff's Motion to Compel, for Sanctions and to Modify Scheduling Order is granted.

1 2. Defendants are ordered to fully and completely respond to Plaintiff's requests for
2 production of documents and to produce any and all responsive documents in their possession,
3 custody or control within seven (7) days.

4 3. Defendants are ordered to supplement all of their responses to discovery requests,
5 to state that no responsive documents exist, if it so contends, and to state in detail and under oath,
6 the steps it undertook to search for responsive documents within seven (7) days.

7 4. Defendants are ordered to provide supplemental answers to interrogatories 4, 5
8 and 7 of the First Set of Interrogatories and interrogatories 4 and 5 of the Second Set of
9 Interrogatories within seven (7) days.

10 5. Defendants are hereby sanctioned and ordered to pay HPT's attorneys' fees and
11 costs in the amount of \$5,000 in connection with this motion.

12 6. The Scheduling Order entered on December 26, 2017 is hereby vacated.

13 7. A new Scheduling Order shall be entered as follows:

- 14 a. *FIVE DAY* Jury Trial is set for 5/29/2019 at 9:00 AM in Courtroom E
15 before Judge Benjamin H. Settle.
16 b. Joinder of Parties due by 11/30/2018,
17 c. Amended Pleadings due by 12/30/2018,
18 d. Expert Witness Disclosure/Reports under FRCP 26(a)(2) due by 1/23/2019,
19 e. Rebuttal Expert Disclosure/Reports due by 2/23/2019,
20 f. Motions due by 3/31/2019,
21 g. Discovery completed by 2/1/2019,
22 h. Dispositive motions due by 2/28/2019, M
23 i. Motions in Limine due by 4/30/2018,
24
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- j. Pretrial Order due by 5/7/2019,
- k. Voir dire/jury instructions/trial briefs due by 5/8/2019,
- l. Agreed Neutral Statement of the Case due by 5/8/2019,
- m. Deposition Designations due by 5/8/2019,
- n. Pretrial Conference set for 5/15/2019 at 11:00 A.M.

SO ORDERED this _____ day of September, 2018.

HONORABLE BENJAMIN H. SETTLE

Presented by:

s/ Andrew P. Bleiman

Andrew P. Bleiman (admitted *pro hac vice*)

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